

REMARKS

Claims 1-9 are all the claims pending in the application. By this Amendment, Applicant amends claims 3 and 7.

Claims 1 and 7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Price (US Patent 6,776,715) in view of Olsen (US Patent 6,210,275). Applicant respectfully traverses the rejection.

Claim 1 recites:

A gaming machine comprising:

a plurality of stations, each of the stations, at which a player plays a game, being provided with:

an identifier, unique to each of the stations; and

a receiver, which receives personal information from the player;

a first storage, which stores the personal information while associating with the identifier, with respect to each of the stations;

a second storage, which stores a first play record of the player while associating with the personal information, with respect to each of the stations;

a judge, which judges whether there exists a second play record which satisfies a first prize requirement among the first play records stored in the second storage;

a first specifier, which specifies a player who satisfies the first prize requirement in a case where there exists the second play record, with reference to the personal information associated with the second play record;

a second specifier, which specifies a station at which the player specified by the first specifier plays, with reference to the identifier associated with the personal information referred by the first specifier; and

a condition arranger, which changes a condition of the game performed at the station specified by the second specifier so as to be more advantageous to the player specified by the first specifier, and maintains the changed condition until a cancel condition is satisfied.

In the Office Action the Examiner asserts that Price substantially discloses all the limitations of claim 1, but concedes that Price fails to disclose a condition arranger, which changes a condition of the game performed at the station specified by the second specifier so as to be more advantageous to the player specified by the first specifier, and maintains the changed condition until a cancel condition is satisfied. However, the Examiner asserts that Olsen allegedly cures the deficient disclosures of Price. *See* Office Action, pages 2-4.

In particular, the Examiner asserts that Price discloses the claimed feature of a plurality of stations being provided with an identifier, unique to each of the stations. The rejection is based on the Abstract of Price. This portion of Price describes a gaming apparatus having a display unit, a value input device, a player tracking card reader, and a controller.

However, that portion of Price neither teaches nor suggests a plurality of stations being provided with an identifier, unique to each of the stations. Rather, that portion of Price discloses that each station includes a player tracking card reader. Price neither teaches nor suggests a plurality of stations being provided with an identifier, unique to each of the stations, as Price discloses nothing about a station identifier. Rather, it merely identifies the player at the machine with reference to the player information received from a database corresponding to the player information obtained by the player tracking card reader.

Further, the Examiner asserts that Price discloses the claimed feature of a first storage, which stores the personal information while associating with the identifier, with respect to each of the stations. The rejection is based on column 1, lines 60 to 65 of Price. This portion of Price describes that the controller may be programmed to read a player tracking card, acquire player tracking data from a database, and evaluate the outcome of a game.

However, that portion of Price neither teaches nor suggests a first storage, which stores the personal information while associating with the identifier, with respect to each of the stations, as recited in claim 1. Rather, that portion of Price discloses that the controller obtains player information from a database. Price neither teaches nor suggests a first storage, which stores the personal information while associating with the identifier, with respect to each of the stations, as Price discloses nothing about a station identifier. Rather, it merely retrieves player information obtained from the player tracking database, with no teaching or suggestion of storing personal information associated with the identifier, with respect to each of the stations.

In addition, the Examiner asserts that Price discloses the claimed feature of a second storage, which stores a first play record of the player while associating with the personal information, with respect to each of the stations. The rejection is based on column 4, lines 24 to 28 and column 14, lines 9 to 14 of Price. These portions of Price describe a memory on a player tracking card that contains a computer program for causing a gaming machine to determine the outcome of a game, i.e. to determine whether the player at the gaming apparatus is a winner or a loser.

However, those portions of Price neither teach nor suggest a second storage, which stores a first play record of the player while associating with the personal information, with respect to each of the stations, as amended claim 1 recites. Rather, those portions of Price disclose that the memory stores a computer program that is able to evaluate game outcomes at a gaming apparatus. Price neither teaches nor suggests a second storage, which stores a first play record of the player while associating with the personal information, with respect to each of the stations, as Price discloses nothing about a storage unit which stores a play record with respect to each of the

stations. Rather, it merely discloses that the memory can evaluate the outcome of games at a gaming apparatus, with no teaching or suggestion of storing play records associated with personal information, with respect to each of the stations.

Further, the Examiner asserts that Price discloses the claimed feature of a judge, which judges whether there exists a second play record which satisfies a first prize requirement among the first play records stored in the second storage. The rejection is based on column 14, lines 13 to 26 of Price. This portion of Price describes the routine for determining a game outcome, i.e. whether a player at the gaming apparatus is a winner or a loser.

However, this portion of Price neither teaches nor suggests a judge, which judges whether there exists a second play record which satisfies a first prize requirement among the first play records stored in the second storage, as recited in claim 1. Rather, this portion of Price discloses the process used to evaluate whether a combination of card images selected by a player at a gaming apparatus, i.e. a play record, comprises a winning combination. Price neither teaches nor suggests a judge, which judges whether there exists a second play record which satisfies a first prize requirement among the first play records stored in the second storage, as Price discloses nothing about determining a second play record from among the first play records. Rather, it merely discloses evaluating whether a single play record at a gaming apparatus is a winning combination, with no teaching or suggestion of determining a second play record from among the stored first play records, which are obtained with respect to each of the stations.

In the Office Action the Examiner also asserts that Price discloses the claimed features of a first specifier, which specifies a player who satisfies the first prize requirement in a case where there exists the second play record, with reference to the personal information associated with

the second play record, and a second specifier, which specifies a station at which the player specified by the first specifier plays, with reference to the identifier associated with the personal information referred by the first specifier. The rejections are based on column 2, lines 1 to 7 and column 12, lines 19 to 33 of Price. These portions of Price describe that the controller may add a credit to a player's account if the controller determines that a player has won a personal wide area progressive jackpot.

However, these portions of Price neither teach nor suggest a first specifier, which specifies a player who satisfies the first prize requirement in a case where there exists the second play record, with reference to the personal information associated with the second play record, and a second specifier, which specifies a station at which the player specified by the first specifier plays, with reference to the identifier associated with the personal information referred by the first specifier. Rather, these portions of Price disclose that a controller may add a credit to a player's account if the controller determines that a jackpot has been won. Price neither teaches nor suggests a first specifier, which specifies a player who satisfies the first prize requirement in a case where there exists the second play record, with reference to the personal information associated with the second play record, as Price discloses nothing about a second play record. Similarly, Price neither teaches nor suggests a second specifier, which specifies a station at which the player specified by the first specifier plays, with reference to the identifier associated with the personal information referred by the first specifier, as Price discloses nothing about specifying a station.

Accordingly, for at least the above reasons, Price fails to disclose all the limitations of claim 1.

Olsen is cited for teaching a progressive game jackpot with a guaranteed winner that comprises a successful game round and a changed condition that comprises a bonus game that reduces the number of possible horses in a race after each round wherein the last round results in at least one winner through reduction of possible game outcomes. *See* Office Action, page 3. However, even if Price were modified based on Olsen, as the Examiner asserts in the Office Action, the combination would not contain all the limitations in claim 1, as discussed above. Accordingly, the combination of Price and Olsen does not render claim 1 unpatentable.

Further, in the Office Action the Examiner asserts that Olsen discloses the claimed feature of a condition arranger, which changes a condition of the game performed at the station specified by the second specifier so as to be more advantageous to the player specified by the first specifier, and maintains the changed condition until a cancel condition is satisfied. The rejection is based on the Abstract and column 4, lines 34 to 40 of Olsen. These portions of Olsen describe that with each successive new game round players have a higher probability of winning.

However, these portions of Olsen neither teach nor suggest the claimed feature of a condition arranger, which changes a condition of the game performed at the station specified by the second specifier so as to be more advantageous to the player specified by the first specifier, and maintains the changed condition until a cancel condition is satisfied. Rather, these portions of Olsen disclose that the number of possible conditions is reduced every round for all players in order to increase the probability of a winner. Olsen neither teaches nor suggests a condition arranger, which changes a condition of the game performed at the station specified by the second specifier so as to be more advantageous to the player specified by the first specifier, and maintains the changed condition until a cancel condition is satisfied, as Olsen discloses nothing

about changing the condition of the game at a particular station, i.e. the station specified by the second specifier, or increasing the probability of a particular player, i.e. the player specified by the first specifier.

Accordingly, Olsen fails to cure the deficient disclosures of Price, and hence the combination of Price and Olsen does not render claim 1 unpatentable.

Amended claim 7 recites limitations similar to those discussed above, and hence the combination of Price and Olsen does not render claim 7 unpatentable for at least analogous reasons.

Claims 2 and 3 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Price in view of Olsen in view of Seelig et al. (US Patent 5,997,400, hereinafter "Seelig").
Applicant respectfully traverses the rejection.

In the Office Action the Examiner asserts that Price and Olsen substantially disclose all the limitations of claims 2 and 3, but the Examiner concedes that Price and Olsen fail to disclose that the first prize requirement is arranged in each of a plurality of classes, and that the first prize requirement in higher one of the classes is more difficult to be satisfied. However, the Examiner asserts that Seelig allegedly cures the deficient disclosures of Price and Olsen.

Claims 2 and 3 depend on claim 1 and incorporate by reference all the limitations of claim 1. Seelig is cited for teaching that horses that finish in higher positions in a race earn higher payouts than lower finishing horses. However, even if Price and Olsen were modified based on Seelig, as the Examiner asserts in the Office Action, the combination would not contain all the limitations in claim 1, and hence claims 2 and 3, as discussed above. Accordingly, the

combination of Price, Olsen, and Seelig does not render claims 2 and 3 unpatentable at least by virtue of their dependency.

Further, the Examiner asserts that Seelig discloses the claimed features of the first prize requirement arranged in each of a plurality of classes, and that the first prize requirement in higher one of the classes is more difficult to be satisfied. The rejection is based on column 3, lines 17 to 24 and column 4, lines 5 to 13 of Seelig. This portion of Seelig describes that a winning horse in a horse race finishes in the “Win” position, a second place horse finishes in the “Place” position, and a third place horse finishes in the “Show” position.

However, Seelig neither teaches nor suggest the claimed features of the first prize requirement arranged in each of a plurality of classes and the first prize requirement in a higher class is more difficult to be satisfied than the first prize requirement in a lower class, as claim 2 and amended claim 3 respectively recite. Rather, Seelig discloses that the “Win” position is at the finish line, and the “Place” position is between the “Win” and “Show” positions. Seelig neither teaches nor suggests the first prize requirement arranged in each of a plurality of classes, as Seelig discloses nothing about a plurality of classes for a first prize. Rather, it merely discloses different prizes, i.e. “Win,” “Place,” and “Show,” with no teaching or suggestion of a class for a prize. Further, Seelig neither teaches nor suggests the first prize requirement in a higher class is more difficult to be satisfied than the first prize requirement in a lower class, as Seelig discloses nothing about a prize requirement being more difficult to attain based on a class. Rather, at best, Seelig discloses that different prize requirements are more difficult to attain than others.

Accordingly, Seelig fails to cure the deficient disclosures of Price and Olsen, and hence the combination of Price, Olsen, and Seelig does not render claims 2 and 3 unpatentable.

Claims 4 and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Price in view of Olsen in view of Palmer et al. (US Patent 6,939,224, hereinafter "Palmer").
Applicant respectfully traverses the rejection.

In the Office Action the Examiner asserts that Price and Olsen substantially disclose all the limitations of claims 4 and 9, but the Examiner concedes that Price and Olsen fail to disclose that the amount outputted is in accordance with a 100% or less ratio of the first amount. However, the Examiner asserts that Palmer allegedly cures the deficient disclosures of Price and Olsen.

Claims 4 and 9 depend on claims 1 and 7, respectively, and incorporate by reference all the limitations of claims 1 and 7. Palmer is cited for teaching a gaming device that can adapt the payout to be lower than a player's wager. However, even if Price and Olsen were modified based on Palmer, as the Examiner asserts in the Office Action, the combination would not contain all the limitations in claims 1 and 7, and hence claims 4 and 9, as discussed above. Accordingly, the combination of Price, Olsen, and Palmer does not render claims 4 and 9 unpatentable at least by virtue of their dependency.

Further, in regards to claims 4 and 9, the Examiner asserts that Price discloses a first amount of a gaming value is inputted by each player to execute the game, and a second amount of the gaming value is outputted to each player as a result of the game; and the master machine manages the second amount of the gaming value in each of the gaming machines. The Examiner also asserts that Nakagawa does not disclose that a ratio of a total of the second amount of a total

of the first amount converges on 100% or less, for each of the gaming machines. However, the Examiner asserts that Mindes allegedly cures the deficient disclosures. *See* Office Action, page 6.

It is noted that claims 4 and 9 are not rejected in view of the Nakagawa reference. Further, claims 4 and 9 are not rejected in view of the Mindes reference. *See* Office Action, page 5. In addition, the Mindes reference to which the Examiner refers on page 6 of the Office Action is not listed on Form PTO-892 included with the Office Action or Forms PTO/SB/08 submitted on January 30, 2006, March 22, 2006, July 6, 2007, or October 19, 2006. Accordingly, the Nakagawa and Mindes references do not render claims 4 and 9 unpatentable.

Claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Price in view of Olsen in view of Palmer et al. in view of Barrie et al. (US Patent 4,837,728, hereinafter "Barrie"). Applicant respectfully traverses the rejection.

In the Office Action the Examiner asserts that Price, Olsen, and Palmer substantially disclose all the limitations of claim 5, but the Examiner concedes that Price, Olsen, and Palmer fail to disclose an accumulator, which accumulates a third amount of the gaming value which is a predetermined ratio of the first amount, and a bonus presenter, which outputs all the gaming value accumulated in the accumulator is outputted to a station associated with a player who satisfies a second prize requirement. However, the Office Action asserts that Barrie allegedly cures the deficient disclosures of Price, Olsen, and Barrie.

Claim 5 depends on claim 1 and incorporates by reference all the limitations of claim 1. Barrie is cited for teaching an accumulator which accumulates a bonus jackpot. However, even if Price, Olsen, and Palmer were modified based on Barrie, as the Examiner asserts in the Office

Action, the combination would not contain all the limitations in claim 1, and hence claim 5, as discussed above. Accordingly, the combination of Price, Olsen, Palmer, and Barrie does not render claim 5 unpatentable at least by virtue of its dependency.

Claim 6 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Price in view of Olsen in view of Palmer in view of Nakagawa et al. (US Patent 6,019,369 hereinafter "Nakagawa"). Applicant respectfully traverses the rejection.

In the Office Action the Examiner asserts that Price, Olsen, and Palmer substantially disclose all the limitations of claim 6, but the Examiner concedes that Price, Olsen, and Palmer fail to disclose the game is a racing game in which a plurality of racing members perform a racing, the player bets the first amount of the gaming value with respect to at least one of the racing members, the player obtains the second amount of the gaming value in accordance with the result of the game and odds, and the condition of the game includes at least the odds. However, the Office Action asserts that Nakagawa allegedly cures the deficient disclosures of Price, Olsen, and Barrie.

Claim 6 depends on claim 1 and incorporates by reference all the limitations of claim 1. Nakagawa is cited for teaching the use of odds placed on horses in a race. However, even if Price, Olsen, and Palmer were modified based on Nakagawa, as the Examiner asserts in the Office Action, the combination would not contain all the limitations in claim 1, and hence claim 6, as discussed above. Accordingly, the combination of Price, Olsen, Palmer, and Nakagawa does not render claim 6 unpatentable at least by virtue of its dependency.

Claim 8 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Price in view of Olsen in view of Hanai (US Patent 5,816,920). Applicant respectfully traverses the rejection.

In the Office Action the Examiner asserts that Price and Olsen substantially disclose all the limitations of claim 8, but the Examiner concedes that Price and Olsen fail to disclose one of the gaming machines serves as the master machine. However, the Office Action asserts that Hanai allegedly cures the deficient disclosures of Price and Olsen.

Claim 8 depends on claim 7 and incorporates by reference all the limitations of claim 7. Hanai is cited for teaching the use of a master machine as a game machine. However, even if Price and Olsen were modified based on Hanai, as the Examiner asserts in the Office Action, the combination would not contain all the limitations in claim 7, and hence claim 8, as discussed above. Accordingly, the combination of Price, Olsen, and Hanai does not render claim 8 unpatentable at least by virtue of its dependency.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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